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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/675,500

09/30/2003

Allen Reeves

6049

7590  
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5553 West Waters Avenue  
Tampa, FL 33634

10/18/2007

EXAMINER

SAGER, MARK ALAN

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

10/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10675500	9/30/03	REEVES, ALLEN	

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EXAMINER

M. A. Sager

ART UNIT

PAPER

3714

10032007

DATE MAILED:


**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

No additional time is granted for replying to prior office action. This notice of non-responsive amendment indicates that the office has determined that the reply rec'd Sep 26, 2007 is NOT a bona-fide attempt to respond to prior office action since the filed reply fails to provide a proper reply by responding to all issues in prior action per 37 CFR 1.111 such as 112(2) issue stated in paragraph 8 and 9 and respond to anticipation/obviousness over applied art in paragraph 11 and 14-16 of office action mailed March 28, 2007.

The Applicant is reminded that 37 CFR 1.111 states in part that 'in order to be entitled to reconsideration, the Applicant must reply to the Office action'; while, 37 CFR 111(b) states in part that 'a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section. It further states in amending in reply to a rejection of claims in an application, the applicant must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited. The applicant must also show how the amendments avoid such references. In this case, although Applicant amends claims and states in part on page 2-3 in remarks filed Sep 26, 2007 'none of the references teach or suggest the structure claimed in newly submitted independent claim 29, Applicant's arguments fail to comply with 37 CFR 1.111 because the reply does not respond to Office action and the remark amounts to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the art. Also Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited. Further, they do not show how the amendments avoid such references.

No additional time is granted to reply to prior official action. Thus the reply must be completed within the period for reply to the non-final Office action or within any extension to the prior Office action pursuant to 37 CFR 1.136(a) to avoid abandonment.

  
M.A. Sager  
Primary Examiner  
Art Unit: 3714